

AMENDED IN ASSEMBLY JUNE 16, 2005

AMENDED IN SENATE MAY 18, 2005

AMENDED IN SENATE APRIL 28, 2005

AMENDED IN SENATE APRIL 20, 2005

AMENDED IN SENATE MARCH 29, 2005

SENATE BILL**No. 695**

Introduced by Senator Kehoe

February 22, 2005

An act to add Section 10265 to the Public Resources Code, relating to resource conservation.

LEGISLATIVE COUNSEL'S DIGEST

SB 695, as amended, Kehoe. Conservation easement registry.

Existing law authorizes various agencies to acquire land for purposes related to conservation. Existing law specifies certain requirements and procedures for the acquisition of conservation lands.

This bill would require the Secretary of the Resources Agency to establish a central public registry of all conservation easements, as defined, all open-space easements, as defined, and all agricultural conservation easements, as defined, held *or required* by the state or purchased with state grant funds on or after January 1, 2000, provided by any agency, department, or division of the state. The bill would provide that the registry shall be ~~available on the Internet, shall be~~ accessible for use by the general public, ~~and shall~~. *The bill would require the registry to include, and the secretary to provide on the Internet, information on these conservation, open-space, and agricultural conservation easements, as specified.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Conservation easements and agricultural conservation
4 easements are a valuable tool and a cost-effective way to protect
5 the state's natural resources.

6 (b) It is important to ensure that the public has information on
7 how moneys are spent by state agencies when purchasing
8 easements for the preservation and protection of critically needed
9 conservation and agricultural lands.

10 (c) Information regarding easements should be disseminated in
11 a readily and easily available manner.

12 (d) A central public registry of conservation easements,
13 open-space easements, and agricultural conservation easements
14 would provide information that would lead to better conservation
15 and resource planning among state agencies, local governments,
16 nonprofit organizations, and the public.

17 SEC. 2 Section 10265 is added to the Public Resources Code,
18 to read:

19 10265. (a) The Secretary of the Resources Agency shall
20 establish a central public registry of all conservation easements,
21 held *or required* by the state or purchased with state grant funds
22 on or after January 1, 2000, provided by any agency, department,
23 or division of the state. In constructing the registry, the
24 Resources Agency shall draw upon the Department of General
25 Services' property inventory and other information held by a
26 state agency, department, or division.

27 (b) For the purposes of this section, "conservation easement"
28 means any limitation in a recorded instrument that contains an
29 easement, restriction, covenant, condition, or offer to dedicate,
30 that has been executed by or on behalf of the owner of the land
31 subject to that limitation and is binding upon successive owners
32 of the land, and the purpose of which is to retain land
33 predominantly in its natural, scenic, historical, agricultural,
34 forested, or open-space condition. "Conservation easement"
35 includes a conservation easement as defined in Section 815.1 of

1 the Civil Code, an open-space easement as defined in Section
2 51075 of the Government Code, and an agricultural conservation
3 easement as defined in Section 10211.

4 (c) The registry shall be ~~available on the Internet, shall be~~
5 accessible for use by the general public; and shall provide
6 information on conservation easements, including open-space
7 easements and agricultural conservation easements, as described
8 in subdivision (b). *The registry shall include a copy of the*
9 *easement.*

10 (d) The registry shall ~~provide include, and the Secretary of the~~
11 *Resources Agency shall provide on the Internet* all of the
12 following information on ~~each conservation easements easement,~~
13 ~~open-space easements easement,~~ and agricultural conservation
14 ~~easements easement, listed in the registry:~~

15 (1) The recordation number assigned by the county recorder.

16 (2) The purpose of the easement.

17 (3) The location of the easement, identified by county and
18 nearest city.

19 (4) The identity of the easement holder.

20 (5) The size of the easement in acres.

21 (6) *The amount in dollars, if any, of the State's contribution*
22 *towards the easement transaction.*

23 (7) *The date the easement transaction was completed.*

24 (e) On or before January 1, 2008, the Secretary of the
25 Resources Agency shall make the registry accessible to the
26 general public, and shall update it biannually.